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List of issues and questions in relation to the fifth periodic report of Turkmenistan

Addendum

Replies of Turkmenistan*

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Constitutional and legislative framework

1. At the initiative of the President of Turkmenistan, various constitutional reforms have been introduced in the country. A new version of the Constitution of Turkmenistan was adopted on 14 September 2016. The section of the Constitution of Turkmenistan on human and civil rights and freedoms has been supplemented with 11 new articles, in which human and civil rights and freedoms are guaranteed at the level of the Basic Law in accordance with the norms of international law.

Turkmenistan recognizes, at the constitutional level, the primacy of the universally recognized norms of international law (article 9, second paragraph, of the Constitution of Turkmenistan). That principle was affirmed and embodied in the International Treaties of Turkmenistan Act (10 May 2010), in accordance with which Turkmenistan complies with the universally recognized international agreements. If an international agreement acceded to and implemented by Turkmenistan establishes other rules than those provided for in domestic legislation and the principles and norms of international law, the provisions of the international agreement shall prevail (article 4).

In accordance with that Act, international agreements acceded to by Turkmenistan are to be strictly observed by Turkmenistan through its State bodies in accordance with the norms of international law.

When drafting and adopting laws, the Parliament of Turkmenistan considers them first of all in terms of their compliance with international law in general and international obligations in particular.

Under article 2 of the State Guarantees for the Equal Rights and Equal Opportunities of Women and Men Act (18 May 2015), if an international agreement acceded to by Turkmenistan establishes rules other than those contained in that Act, then the rules of the international agreement shall apply.

The system of rules in the domestic legislation of Turkmenistan provides for compliance with the principle of equal rights of citizens. The legislative guarantee of the equality of citizens derives from article 28 of the Constitution of Turkmenistan, which states that Turkmenistan guarantees the equality of human and civil rights and freedoms, as well as the equality of individuals and citizens before the law and the courts, regardless of nationality, colour, sex, origin, property or official status, place of residence, language, attitude to religion, political beliefs or other circumstances.

The Basic Law of Turkmenistan guarantees the protection of gender equality in all spheres of State and public life. Under article 29 of the Constitution of Turkmenistan, men and women in Turkmenistan have equal rights and freedoms, as well as equal opportunities for their enjoyment. Violations of equality for reasons based on sex are punishable under the law.

(a) Political rights

The State Guarantees for the Equal Rights and Equal Opportunities of Women and Men Act, which is based on the general principle of the equal rights of citizens, extends the application of that principle to include political, economic, social and cultural rights. For example, under article 16 of that Act, the State guarantees to women and men:

- Equal rights to participate in the government of the affairs of society and the State, directly or through their elected representatives, in accordance with the law;
- Equal rights of access to civil service employment by appointment or through election to public office and to obtain promotion in the civil service;
- Equal opportunities to represent the interests of the State and society at the international level and to participate in the work of international organizations;
- For women, the right to enter military service on a voluntary basis, in accordance with the procedure established by the legislation of Turkmenistan;
- Protection of their freedom of expression and protection of their electoral rights;
- Equal opportunities to participate in the electoral process in accordance with the legislation of Turkmenistan.

The right of women to participate in political and public life is provided for in article 22 of the Public Service Act (26 March 2016), article 3 of the Electoral Code of Turkmenistan (4 March 2013), article 2 of the Political Parties Act (10 January 2012) and article 4 of the Public Associations Act (3 May 2014).

(b) Economic rights

The legislation of Turkmenistan guaranteeing respect for the principle of equality also provides mechanisms to ensure de facto equality in economic rights. Under article 21 of the State Guarantees for the Equal Rights and Equal Opportunities of Women and Men Act, the State guarantees equal opportunities for women and men in employment and in the free choice of their profession, occupation and place of work. They are also equally free to engage in entrepreneurial activities, to receive training and retraining, and to combine work activity with the duties of parenthood. That Act also guarantees equal rights to safe working conditions and unemployment protection.

According to article 21, part 3, of the aforementioned Act, the State guarantees equal compensation for women and men for work of equal value, as well as an equal approach to assessing the quality of a worker's job performance in accordance with the labour legislation of Turkmenistan.

Under article 21, part 4, of the aforementioned Act, the State guarantees women and men the equal right to participate in the management of an enterprise, organization or institution, regardless of its form of ownership.

Under the Labour Code of Turkmenistan, discrimination in labour relations is prohibited. Under article 7 of the Code, there can be no restriction on labour rights nor can any advantage in their exercise be granted on the basis of nationality, colour, race, sex, origin, property or official status, place of residence, language, age, attitude to religion, political opinions, party affiliation or non-affiliation, as well as other circumstances not related to the work performance of employees or the results of their work.

The Employment of the Population Act (18 June 2016) provides for State guarantees in the field of employment (art. 6). Among those guarantees, special attention is paid to the free choice of a profession, occupation and place of work, the creation of healthy and safe working conditions, the equality of rights and opportunities for all in choosing a profession or job, with remuneration corresponding to the quantity and quality of work, promotion, legal protection from any form of

discrimination, unreasonable denial by employers of employment, illegal dismissal or termination of the employment contract.

The legislation of Turkmenistan guarantees citizens of Turkmenistan, including women, the right to participate in the establishment of enterprises, as well as to engage in entrepreneurial activities.

Under article 11 of the Enterprises Act (15 June 2000), enterprises are created by decision of their founders, who may be capable individuals or legal entities. Under article 3 of the Entrepreneurial Activities Act (1 January 1993), business entities (entrepreneurs) in Turkmenistan may be individuals or legal entities of Turkmenistan or of other States.

(c) Social rights

Turkmenistan is a State that guarantees the social security of every person (article 5 of the Constitution of Turkmenistan). There is ongoing comprehensive development of the social sphere, including with regard to economic, financial and housing issues, which is reflected in new approaches. The social sphere covers the whole spectrum of human existence and all aspects of the relationship between the citizen and the State. State social security programmes and housing construction for people with disabilities are being successfully carried out; pensions, social benefits, student grants and salaries for workers in all spheres are being increased every year, and the amount of State financing devoted to the spheres of education and health is increasing.

The legislation of Turkmenistan that stipulates equality with respect to social rights also provides for mechanisms for their implementation. Thus, under article 23 of the State Guarantees of Equal Rights and Equal Opportunities for Women and Men Act, the State guarantees gender equality in the field of social protection, implemented in the form of material support and social services through the payment of pensions, State benefits and social benefits in accordance with conditions and procedures specified in the legislation of Turkmenistan.

Under the Social Protection Code (19 October 2012), women have the right to retire for reasons of age and seniority, and to receive work-related pensions and disability pensions in accordance with the legislation of Turkmenistan. The Code also ensures the allocation and payment of State benefits to cover a temporary inability to work owing to pregnancy and childbirth, the need to provide childcare or disability, as well as State social benefits.

Under the Labour Code of Turkmenistan, women are granted maternity leave upon the birth of a child for at least 112 calendar days (art. 96) and parental leave until the child reaches 3 years of age (art. 97), during which time the employee retains her place of work and receives the State childcare allowance.

Article 18 of the State Guarantees for the Equal Rights and Equal Opportunities of Women and Men Act and the Protection of the Health of Citizens Act (23 May 2015) provide for State guarantees for the equal rights of women and men in the field of health care. In particular, the State guarantees equal rights for women and men to the protection and promotion of health, to the receipt of the State-guaranteed amounts of free medical care; to the receipt of high-quality medical assistance and the use of medical services; to access to information on reproductive health, the prevalence of diseases, new methods of preventing and treating diseases; and to the use of health and spa facilities and children's health and rehabilitation centres, as well as sports facilities.

(d) Cultural rights

The laws of Turkmenistan seek to create conditions enabling every person to participate in cultural life and to enjoy freedom of artistic, scientific and technical creativity. Under article 20 of the State Guarantees for the Equal Rights and Equal Opportunities of Women and Men Act, the State guarantees to women and men the equal right to participate in cultural life; the equal right to access all types of services provided by cultural institutions; the equal right to engage in creative activity on a professional or non-professional basis in accordance with their interests and abilities; equal opportunities for the creation, revival, preservation, development, dissemination and use of cultural values, as well as the preservation and development of national and cultural identity.

The National Artistic Creativity Act (24 October 2016), the Libraries and Librarianship Act (20 March 2017), the Museums and Museum Affairs Act (26 August 2017), the Television and Radio Broadcasting Act (5 January 2018), and the Legal Regulation of Internet Development and Internet Services in Turkmenistan Act (20 December 2014) establish the legal framework and mechanisms for the realization of cultural rights.

2. The legislative acts of Turkmenistan take into account the norms of the international conventions to which the country is a party, and it is therefore not necessary in judicial decisions to refer to the provisions of the Convention.

The norms and provisions set forth in the Constitution of Turkmenistan have a direct effect. Laws and other legal acts that contradict the Constitution have no legal force (article 8 of the Constitution of Turkmenistan).

Access to justice

3–4. In addition to the information provided in the latest national report on the issue of women's access to justice, we can provide the following information.

The Administrative Procedures Act, adopted on 3 June 2017, has been in force since 1 January 2018. Under article 8 of that Act, each person has the right to appeal to the relevant administrative body on matters directly related to his rights and legitimate interests, and to file motions and receive information from that administrative body. The administrative body is obliged to take appropriate decisions on such appeals or provide information.

Under article 26 of the Criminal Procedure Code of Turkmenistan, everyone has the right, in the course of criminal proceedings, to receive legal assistance in accordance with the provisions of that Code.

The Supreme Court of Turkmenistan and the United Nations Development Programme (UNDP) have jointly implemented the Work Plan for 2017 entitled "Cooperation for the implementation of the National Action Plan for human rights for 2016–2020 in the field of the rule of law and access to justice". In 2017, in accordance with the Work Plan, five training sessions were held, with the participation of an international expert, for 125 participants consisting of judges and judicial officers; the sessions covered international norms and mechanisms in the field of human rights protection, including gender equality.

Within the framework of the cooperation between UNDP and the Supreme Court of Turkmenistan, the district court of the Kopetdag Etrap district in Ashgabat has

launched e-services for filing applications and for obtaining information on the progress of cases electronically.

National machinery for the advancement of women

5–6. In careful compliance with its obligations arising from the international agreements that it has ratified, Turkmenistan has consistently introduced into its national legislation and practice generally recognized international legal norms and provisions, including those relating to the creation of equal opportunities for men and women.

The National Action Plan on human rights in Turkmenistan for 2016–2020 (15 January 2016), the National Action Plan on gender equality in Turkmenistan for 2015–2020 (22 January 2015), and the National Action Plan on combating trafficking in persons for 2016–2018 (18 March 2016), as well as general and special national programmes for the social and economic development of Turkmenistan, are aimed at ensuring the implementation of the civil, political, economic, social and cultural rights guaranteed by the Constitution of Turkmenistan and international norms, so as to be able to effectively develop the personal potential of each citizen of Turkmenistan.

All National Action Plans have been developed bearing in mind the final recommendations of the United Nations Committees dealing with human rights, as well as the recommendations submitted to Turkmenistan during the universal periodic review in 2013.

The National Action Plan for gender equality in Turkmenistan for 2015–2020 is a comprehensive policy document that defines the overall strategy and key policies of the Turkmen State with regard to gender equality, and provides for an integrated system of measures that takes into account the market economy and the social partnership. The plan contains a number of measures aimed at introducing the principles of gender equality into all spheres of society and specifies the relevant bodies responsible for their development and implementation. In particular, the plan includes monitoring the national legislation of Turkmenistan in terms of its compliance with international norms on gender equality and addresses the need for further improvements in the methodology for collecting and analysing comprehensive data on the status of women.

Government bodies and local executive bodies handle the practical implementation of the activities of the National Plan, with the involvement of scientific and public associations and with the expert support of international organizations.

Implementation of the strategic tasks set out in the National Action Plan directly contributes to progress towards achieving the Sustainable Development Goals and, in particular, Goal 5 entitled "Achieve gender equality and empower all women and girls".

The coordination of implementation of the National Action Plans has been entrusted to the Interdepartmental Commission on compliance with the international obligations of Turkmenistan in the field of human rights and international humanitarian law.

The practical implementation of the National Action Plans of Turkmenistan in the field of human rights is a clear illustration of the development of further steps aimed at strengthening mechanisms for the protection of human rights.

National human rights institution

7. In order to ensure the protection of human and civil rights and freedoms by the State and their observance and respect by State authorities, local governments and their officials, the Institute of the Ombudsman for Human Rights in Turkmenistan was established in accordance with the Constitution of Turkmenistan (art. 71 of the Constitution). The parliament of Turkmenistan adopted the Ombudsman Act on 23 November 2016, defining the rights, duties, basic directions and guarantees relating to the activities of the Ombudsman and his powers. In the drafting process, Turkmenistan cooperated with experts involved in the creation and strengthening of national human rights institutions, including the United Nations, the European Union, the Organization for Security and Cooperation in Europe and others. Under that Act, the Parliament of Turkmenistan elects the Ombudsman by secret ballot and by a simple majority from among three candidates proposed by the President of Turkmenistan.

On 20 March 2017, at a session of the Parliament of Turkmenistan, the Ombudsman of Turkmenistan was elected from among several candidates. The first Ombudsman of Turkmenistan is a woman. The law establishes a rule according to which the mass media of Turkmenistan are informed about the election and termination of powers of the Ombudsman.

The mandate of the Ombudsman is in line with the Paris Principles. The Act guarantees the independence of the Ombudsman. The activities of the Ombudsman are public and covered in the media. The Ombudsman and her deputy have the right of personal inviolability. In the exercise of her powers, the Ombudsman is independent and unaccountable to any State bodies or officials. The decisions of the Ombudsman express a legal position free of political bias, which is in accordance with the Constitution, the laws of the country and international agreements acceded to by Turkmenistan and universally recognized norms of international law in the field of human rights.

Under article 18 of that Act, the Ombudsman has the authority to visit Government bodies, local self-governments, enterprises, institutions and organizations without hindrance and without prior notification, regardless of their organizational and legal forms and their forms of ownership, as well as correctional and other specialized institutions, places of pre-trial detention, other places of detention, the Armed Forces of Turkmenistan, other troops, and military institutions. Her visits may be conducted independently or in conjunction with competent government authorities, officials or public employees. She may monitor their operations and request and receive the necessary documents, materials and other information from the officials of State authorities, local self-government, enterprises, institutions and organizations, regardless of their organizational and legal forms and forms of ownership, as well as any relevant explanations. She may instruct the competent State bodies and scientific organizations to conduct expert studies on issues to be clarified, and she may submit proposals to authorized State bodies or officials to initiate disciplinary or administrative proceedings or a criminal case against an official who has violated human rights and freedoms.

The Ombudsman is authorized to exercise other powers stipulated by the Act and other normative legal acts of Turkmenistan.

Under the Act, the Ombudsman submits a report on her activities and the situation in the field of human rights in the country to the President of Turkmenistan for consideration each month, and presents that report to the parliament of

Turkmenistan. The annual report of the Ombudsman is covered in the mass media of Turkmenistan.

Temporary special measures

8. Citizens in need of the special care of the State receive protection through the provision of additional guarantees for such persons, including the adoption of special legal norms that establish quotas for the hiring of certain categories of citizens.

In order to implement the Social Protection Code of Turkmenistan and the Employment of the Population Act with regard to the issue of the employment of citizens in special need of social protection, the Minister of Labour and the Social Protection of the Population approved, by an order in January 2016, the Regulation establishing a quota of up to 5 per cent of the total number of employees at enterprises to be reserved for persons with disabilities who have a recommendation for work through an individual rehabilitation programme and for single parents and parents with large families who are raising minor children or children with disabilities.

In order to create ample opportunities and conditions for the realization of citizens' constitutional rights to work, increase the level of decent work for the population and develop the country's productive forces, the President of Turkmenistan signed a decree in May 2015 approving a programme to improve the sphere of employment and create new jobs in Turkmenistan for the years 2015–2020 and a Plan of Measures for the implementation of that programme.

In order to improve the living standards of persons with disabilities, protect their right to work and create appropriate conditions for their work, the President of Turkmenistan approved, in October 2016, a Plan of Measures to ensure the full implementation of the right to work and employment of persons with disabilities in Turkmenistan for the period 2017–2020.

In Turkmenistan in 2016, 7,600 new jobs were created; in 2017, the figure was 8,400 jobs, most of which were in the social sphere (education, health, sports, culture, etc.) and the agricultural complex.

Stereotypes and harmful practices

9. One of the objectives of the National Action Plan on gender equality in Turkmenistan is to change and eliminate stereotypes that lead to discrimination against women. In that connection, strategic actions are being planned and have been successfully carried out with a view to further transforming public consciousness and shaping social awareness of the need for the social equality of men and women in all spheres of public life.

Regular campaigns are being conducted to raise public awareness of the Convention on the Elimination of All Forms of Discrimination against Women and of national legislation and the implementation of the National Action Plans among women, men and young people, both in the city of Ashgabat and in the *velayats* (provinces), through the use of the mass media such as television, radio and print.

Within the framework of cooperation with the United Nations Population Fund (UNFPA) in Turkmenistan for the reporting period (2013–2017), 30 seminars (covering about 750 people) were held in all of the regions of Turkmenistan with a view to raising the awareness of the population with regard to gender equality, to furthering the introduction of the principles of gender equality in all spheres of life and to strengthening the role of women in society.

In order to increase the awareness of civil servants, representatives of local authorities, law-enforcement agencies and public associations in the field of human rights, including gender equality, the National Presidential Institute for Democracy and Human Rights regularly organizes seminars, meetings and roundtables in the Human Rights Information Centres in Ashgabat and all of the regions of the country on the issues of legal regulation and the protection and enforcement of the rights and freedoms of citizens.

In 2017, a compendium of national legislation and international legal instruments on gender equality was prepared and published.

In order to raise awareness on gender issues, representatives of the Women's Union of Turkmenistan, together with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) in Turkmenistan, held a number of seminars in Ashgabat and in the various regions of the country in 2015–2016.

In close cooperation with the National Presidential Institute for Democracy and Human Rights and the UNFPA Office in Turkmenistan, a new manual was developed on how to conduct an intensive course on gender equality in the media. The course was successfully launched, hosted by the International University for the Humanities and Development, through an introductory seminar on 29 November 2017 with the participation of 25 teachers and students of the Department of Journalism and Sociology of the university. Very positive and constructive responses were received regarding the content and format of the course, from both teachers and the direct beneficiaries, namely, students. According to preliminary plans of the university, the plan is to introduce this course into the training programme of the Department of Journalism of the university as a full three-week course. It is also planned to introduce this course into the curricula of the relevant faculties at other universities in the country.

In 2017, the UNFPA Office in Turkmenistan held an annual competition among journalists for the best media materials on gender issues. Within the framework of that competition and in conjunction with the National Presidential Institute of Democracy and Human Rights, a briefing was held for journalists on 23 June 2017, with the participation of 15 representatives of the national media. The purpose of the media briefing was to introduce journalists to the National Action Plan on gender equality in Turkmenistan for 2015–2010 and to explain their role in covering that important strategic document of the country. More than 40 submissions from journalists from all over the country were presented as part of the competition. The work of the winner of the contest, Mahim Roziyeva, a correspondent of the *velayat* newspaper *Turkmen Gundogary*, was awarded the first prize for a whole series of articles on the versatility of the Turkmen woman.

In 2014, a seminar entitled "Gender Issues in the Public Administration System" was held for students of the Presidential Academy of Public Administration, with technical support from the UNFPA Office in Turkmenistan.

Gender topics have been included in the courses of the Presidential Academy of Public Administration for training middle managers. A gender course was developed in an electronic format for training students of the Academy and distance learners.

In the Supreme Court of Turkmenistan, there is an Information Centre that holds seminars for judges aimed at improving the capacities of staff with regard to human rights issues, including gender equality.

The State Framework for the development of the judicial system in Turkmenistan for the period 2017–2021 was prepared on 18 March 2017 by the Supreme Court of Turkmenistan and the President of Turkmenistan. The Framework provides for the further strengthening of the Information Centre using the Internet.

During the course of 2017, judges and judicial officials took an active part in seminars and round tables on various topics, in particular on the activities of the media and the improvement of the media in Turkmenistan.

The Institute of the Ministry of Internal Affairs of Turkmenistan has revised the curriculum for the disciplines of labour law, family law, administrative law and criminal law and has included specific topics on gender equality, domestic violence, victims' remedies and others in the curriculum.

The curriculum for the military and police training received by law-enforcement officers has included topics on human rights, in particular gender equality, children's rights and others.

Gender-based violence against women

10. Under the State Guarantees for Equal Rights and Equal Opportunities for Women and Men Act, the State guarantees equal rights for women and men in terms of protection against sexual assault, abduction and trafficking (art. 24). Persons who commit such actions bear the criminal responsibility stipulated in the Criminal Code of Turkmenistan. That legislative norm provides the basis for strengthening domestic legislation on those issues, as well as for additional legislative work aimed at preventing violence in all its forms.

There is no specific law on violence against women in Turkmenistan, and the law does not describe any crime designated as "domestic violence". However, in the Criminal Code of Turkmenistan, illegal actions committed in everyday life incur criminal responsibility. The provisions of the relevant norms establish responsibility for unlawful acts that seek to humiliate the honour and dignity of persons, as well as cruel treatment causing bodily injuries of various sorts, including against women.

During the process of implementing the 2012 Concluding Observations of the Committee on the Elimination of Discrimination against Women, there has been an ongoing dialogue as to whether there is a need to adopt such legislation.

As was noted in the fifth periodic report of Turkmenistan on the implementation of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, one of the objectives of the National Action Plan on gender equality in Turkmenistan for 2015–2020 is to analyse the legislation of Turkmenistan with a view to possibly adopting legislation criminalizing violence and conducting a survey on the distribution, causes and consequences of all forms of violence against women, including domestic violence. In partnership with the UNFPA Office in Turkmenistan, practical seminars have been held, with the participation of an international expert, in order to determine the methodology for carrying out such a survey and to gain familiarity with the legislation of foreign countries in the field of domestic violence and with the practice of the application of such legislation through familiarization visits.

As part of the study on the issue of preventing gender-based violence, the Interdepartmental Commission for ensuring the implementation of the international obligations of Turkmenistan in the field of human rights and international humanitarian law and its Working Group were introduced, with the assistance of an

international UNFPA expert from Romania, to the concept of an inter-agency response to gender-based violence.

A questionnaire has been developed and negotiated, which is intended to provide a basis for a survey on the prevalence of violence against women and its root causes. The State Committee on Statistics of Turkmenistan is carrying out preparatory work for conducting a survey based on the number of family medical facilities listed by the Ministry of Health and the Medical Industry of Turkmenistan, which will yield a list of selected households for the survey.

Based on the results of the survey, proposals will be developed to introduce amendments and additions to the existing domestic legislation and to help decide whether it is justifiable to draft a bill on domestic violence.

11. Within a six-month period in 2016, there were 1,051 complaints from women in whose families men abuse alcohol or periodically use narcotic drugs. Based on the results of the investigations, some of the materials from those complaints were submitted to the relevant police and prosecutorial investigative departments for evaluation under the criminal procedural legislation of Turkmenistan, which resulted in ten men being prosecuted under the Criminal Code of Turkmenistan (two under article 107 on deliberate infliction of grievous harm, five under article 108 on deliberate infliction of moderate harm, and three under article 141 on procuring). Sixty-one of the subjects of the complaints faced administrative charges under the Code of Administrative Offences of Turkmenistan (18 under article 334 on battery, and 43 under article 345 on minor hooliganism); 107 of them were given official warnings and were issued official citations spelling out the inadmissibility of their violations of the law; 618 of them were subjected to preventive registration in police departments for rowdy behaviour in the family; and 100 of them were temporarily removed from the community by court decision and sent to special rehabilitation centres for the treatment of alcoholism and drug addiction. For 64 of the complaints it was possible to engage in some social work and reach reconciliation and the agreement of both sides; in other cases, preventive measures were taken, including explanatory and educational work involving specially created groups consisting of representatives of law-enforcement bodies and public organizations. Furthermore, the State supported a programme to promote healthy lifestyles and to persuade the country's population to adopt a negative attitude towards alcohol and drug use, which is the main reason for the spread of illegal acts against women. That has had an impact on reducing illegal acts against women, thanks to the work of health authorities, educational efforts and the mass media. In addition to representatives of law-enforcement agencies, local self-government bodies and public organizations, the specially established advocacy groups also included elders especially respected among the local population. Activities are being carried out everywhere and on an ongoing basis for the primary prevention of alcoholism and drug addiction, and meetings have been organized, in particular with individual families and persons at risk.

Trafficking and exploitation of prostitution

12. State policy in the field of combating trafficking in persons seeks to protect the individual and society by improving legislation; preventing, identifying and blocking trafficking in persons; and creating favourable conditions for the physical, psychological and social rehabilitation of victims of trafficking and for complying with the obligations of Turkmenistan in the field of combating trafficking in persons.

On 15 October 2016, the Combating Trafficking in Persons Act was adopted, which includes rules for identifying the victims of such trafficking and the procedure for designating a person who has suffered from that criminal act as a victim of trafficking, as well as other aspects aimed at effectively counteracting trafficking activities.

Under that Act, relevant changes and additions were made in the Criminal Code of Turkmenistan, the Code of Administrative Offences of Turkmenistan and the Judicial Bar and Activities of Lawyers in Turkmenistan Act with a view to bringing the domestic legal framework into line with international standards in the field of combating trafficking in persons.

Through the changes in the Criminal Code of Turkmenistan, article 1291, which establishes criminal responsibility for trafficking in persons, has been brought into line with the international standards in the field of combating trafficking in persons. In particular, the definition of that crime has been expanded and provided with greater detail. The defining features of the crime will be significantly developed.

The Code of Administrative Offences of Turkmenistan has been given a new article that establishes administrative responsibility for violating the legislation of Turkmenistan regarding the fight against trafficking in persons, in particular it establishes legal responsibility for disseminating inappropriate information about victims of trafficking in persons or about the circumstances of the crimes committed against them, the disclosure of which could pose a threat to the life or health of the victim or her loved ones, as well as information on security measures taken for their protection. In addition, administrative responsibility has been established for offences involving the disclosure of confidential information about the victims of trafficking in persons and the refusal to provide assistance to such persons.

Article 7 of the Judicial Bar and Activities of Lawyers in Turkmenistan Act introduces a new element whereby persons who have been granted the status of victims of trafficking in persons are able to benefit from free legal assistance.

On 12 January 2016, the State Protection of Victims, Witnesses and Other Participants in Criminal Proceedings Act was adopted. It establishes a system of State protection measures for victims, witnesses and other participants in criminal proceedings, including measures for the security and social protection of such individuals, and also determines the grounds and procedures for implementing such measures.

According to data provided by the Ministry of Internal Affairs of Turkmenistan for 2013–2017, 23 criminal cases were brought under article 129[1] on trafficking in persons of the Criminal Code of Turkmenistan, under which 45 people were registered as victims of trafficking in persons, with one case in 2017. Twenty-three citizens of Turkmenistan faced criminal responsibility for the commission of such crimes.

By Presidential Decree, the National Action Plan on combating trafficking in persons in Turkmenistan for 2016–2018 was adopted on 18 March 2016. That comprehensive document identifies and implements specific measures aimed at combating trafficking in persons. A draft standard operating procedure for identifying victims of trafficking in persons has been developed. Work is ongoing on a policy directive on the repatriation of victims of trafficking in persons and on a standard form for monitoring the implementation of the National Action Plan. Information materials (leaflets, booklets) on human rights and the rights of migrants and victims of trafficking in persons have been developed and published.

Within the framework of the Plan, with its projects and activities planned for implementation by the Government of Turkmenistan jointly with the Office of the International Organization for Migration in Turkmenistan each year, a section has been envisaged to support the work of the rehabilitation centre, aimed at providing rehabilitation and reintegration assistance to victims of trafficking in persons and vulnerable migrants, including assistance for the return of the affected migrants to their homeland.

Civil society organizations working in the field of assistance to victims of trafficking in persons represent a network of organizations cooperating with the International Organization for Migration (IOM). They are actively working in all *velayats* of the country to identify victims of such trafficking and to provide assistance. Hot lines have been established in Ashgabat at the Ynam club and in Turkmenabat through the Beyik Eyyam company; the hotlines also provide advisory assistance to citizens with regard to leaving the country and on how to avoid risks. Civil society organizations have been conducting information campaigns, as part of the preventive measures to combat trafficking in persons.

A rehabilitation centre (shelter) has been established, hosted by the Yenme civic society association in Ashgabat, where victims are provided with information about their rights and duties, and medical and legal assistance is provided. A social rehabilitation programme is also being developed.

The Yenme civic society organization is a partner of the IOM in Turkmenistan. The rehabilitation centre project has been operating since 2010, and victims of trafficking have been provided with social rehabilitation services there. The Yenme organization employs social workers and a psychologist, who provide social and psychological support for victims of trafficking in persons.

In order to strengthen efforts based on international, regional and bilateral cooperation with countries of origin, transit and destination aimed at preventing trafficking in persons through ... exchange of information and the harmonization of legal procedures for the prosecution of traffickers, Turkmenistan, including the Ministry of Internal Affairs of Turkmenistan, has concluded the following bilateral inter-State and interdepartmental agreements:

1. Agreement between the Government of Turkmenistan and the Government of the Republic of Kazakhstan on cooperation in combating organized crime, illicit trafficking in narcotic drugs and psychotropic substances, terrorism and other dangerous types of crime (27 February 1997);

2. Agreement between Turkmenistan and the People's Republic of China on cooperation in combating terrorism, separatism and extremism (3 April 2006);

3. Agreement between the Government of Turkmenistan and the Government of the Republic of Uzbekistan on cooperation in combating crime (25 February 2009);

4. Agreement between the Government of Turkmenistan and the Government of the Republic of Turkey on combating serious crimes, in particular terrorism and organized crime (29 February 2012);

5. Agreement between the Government of Turkmenistan and the Government of the Republic of Latvia on cooperation in combating terrorism, organized crime, illicit trafficking in narcotic drugs, psychotropic substances and precursors, and other types of crime (14 May 2013);

6. Agreement between the Government of Turkmenistan and the Government of the Kingdom of Saudi Arabia on cooperation in the field of security (1 May 2016);

7. Agreement between the Government of Turkmenistan and the Government of the Republic of Belarus on cooperation in combating crime (30 March 2017);

8. Agreement on a strategic partnership between Turkmenistan and the Republic of Kazakhstan on cooperation in combating crime (18 April 2017);

9. Agreement on cooperation between the Ministry of Internal Affairs of Turkmenistan and the Ministry of Internal Affairs of the Russian Federation (25 March 2009);

10. Agreement on cooperation between the Ministry of Internal Affairs of Turkmenistan and the Ministry of Public Security of the People's Republic of China (23 November 2011);

11. Agreement on cooperation between the Ministry of Internal Affairs of Turkmenistan and the Ministry of Internal Affairs of the Republic of Azerbaijan (8 August 2017).

Turkmenistan does not have an acute problem with trafficking in persons. No crimes involving trafficking in children have been recorded. The accession of Turkmenistan to the international agreements in the field of combating trafficking in persons, in particular the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, represents a new stage in the organization of the work of our domestic bodies and services aimed at preventing and suppressing crimes of this category.

Participation in political and public life

13. Empowering women and enhancing their social, economic and political status are essential for achieving sustainable development in all spheres of life. The legislation of Turkmenistan provides the necessary guarantees for the equal access and full participation of women in government bodies and decision-making.

Under article 45 of the Constitution of Turkmenistan, citizens of Turkmenistan have the right to participate in the management of the affairs of society and the State, both directly and through their freely elected representatives. The Constitution of Turkmenistan guarantees the right of Turkmen citizens to elect representatives and to be elected to government bodies and local self-government bodies. Citizens of Turkmenistan, in accordance with their abilities and professional training, have an equal right to enter the civil service (art. 46).

On 9 October 2017, the country's parliament adopted the *Khalk Maslakhaty* (People's Council) of Turkmenistan Act, which refers to the supreme representative body representing the interests of the people of Turkmenistan and ensuring the participation of the general public in the process of adopting the most important socio-political decisions. The *Khalk Maslakhaty* of Turkmenistan, in accordance with the powers provided for it in article 10 of that Act, considers and approves proposals relating to the adoption of the Constitution and the constitutional laws of Turkmenistan, as well as amendments and additions thereto; considers and approves the main directions of the domestic and foreign policy of the State, as well as the programme for the political, economic, social and cultural development of the

country; hears the annual messages of the President of Turkmenistan; deals with issues of peace and security; and exercises other powers provided for by the laws of Turkmenistan.

In accordance with article 14 of the *Gengesh* (local self-government) Act (new edition), the competence of the *gengesh* includes the determination of the main directions of the economic, social and cultural development of its territory; and the preparation and approval of its budget and the drafting of a report on its implementation.

Under the legislation of Turkmenistan, women are on an equal footing with men as members of representative, executive and judicial bodies at all levels and are active in developing and implementing social and economic development programmes for the country.

The Electoral Code of Turkmenistan (4 May 2013) allows citizens, upon reaching the age of 18, to elect, to be elected, and to participate in referendums (article 3). Any direct or indirect restrictions on the rights of citizens of Turkmenistan to elect, be elected and participate in referendums, based on nationality, race, gender, origin, property and official status, place of residence, language, attitude to religion, political opinion, party affiliation or lack thereof, is prohibited.

Of the 125 deputies making up the parliament of Turkmenistan, 26.4 per cent are women. The Speaker and Vice-Speaker of the parliament are women. Women are also represented in representative and executive bodies of the Government at all levels. With regard to the composition of the local people's executive bodies, 29.7 per cent of the representatives in the *Khalk Maslakhaty* are women, and 20.1 per cent of the members of the *gengeshes* are women.

Thanks to their high level of education and activity, women are equally represented in the bodies of all branches of the Government and in the economic spheres of the country, and they participate actively in the social and political life of Turkmenistan. Thus, one of the Deputy Chairpersons of the Cabinet of Ministers of Turkmenistan is a woman, as are the Ombudsman, the Permanent Representative of Turkmenistan to the United Nations and the Ambassador of Turkmenistan to China.

The citizens of Turkmenistan have been given equal rights, and enjoy equal opportunities to create political parties and to participate freely in their activities in accordance with the Political Parties Act (10 January 2012). Women are widely represented in the three parties registered in Turkmenistan.

Currently, Turkmenistan is preparing for the March 25 elections of the deputies of the parliament (sixth convocation), the members of the *Khalk Maslakhaty* and the *gengeshes*. The country's parliament, together with the Central Election Commission for Elections and Referendums in Turkmenistan, the National Presidential Institute for Democracy and Human Rights, the Democratic Party, the Party of Industrialists and Entrepreneurs, the Agrarian Party, the Women's Union of Turkmenistan, the Youth Union of Turkmenistan and other organizations, have raised the level of legal and political awareness among the population, including women, and have strengthened their leadership skills, with the goal of increasing women's participation in electoral processes.

Education

14–15. The general requirements for the admission of Turkmen citizens to educational institutions are the same for both male and female persons and are

regulated by the Education Act and by model regulations on educational institutions of the relevant types (general education and vocational training) adopted in 2014.

Both general secondary education and vocational training are available for both male and female students.

The number of girls entering secondary school annually constitutes almost half of all incoming students.

In the 2013/2014 school year, the number of girls enrolled in secondary school was 48.9 per cent of the total number of enrolled children, in the 2014/2015 school year — 48.9 per cent, in the 2015/2016 school year — 49.0 per cent, in the 2016/2017 school year — 48.9 per cent, and in the 2017/2018 school year — 48.7 per cent.

Also, the number of girls who graduate from high school annually consistently accounts for almost half of all children leaving school.

In the 2013/2014 school year, the number of girls completing secondary school was 50.3 per cent of the total number of children completing secondary school, in the 2014/2015 school year — 49.2 per cent, in the 2015/2016 school year — 49.1 per cent, and in the 2016/2017 school year — 49.0 per cent.

There are no statistics on how many children drop out of school, including girls, but the percentage of girls completing school shows that the problem of children dropping out of secondary school does not depend on sex.

The proportion of women among students in higher professional education in the 2013/2014 school year was 34.1 per cent, in the 2014/2015 school year — 35.1 per cent, in the 2015/2016 school year — 35.5 per cent, in the 2016/2017 school year — 36.1 per cent, and in the 2017/2018 school year — 37.2 per cent; that is to say, there is a yearly increase.

In higher education there is still a disproportion in the distribution of men and women among various education profiles. We find mostly men in the technical professions in such sectors as industry, agriculture, transport and communications. But in 2017, the disproportion decreased by 3.1 per cent compared with 2013.

In order to eliminate stereotypes in the choice of profession, the State is taking appropriate measures, such as meetings with women and girls, various actions and explanatory work with students, and the introduction of curriculum materials aimed at eradicating stereotypes in curricula, with textbooks and other educational materials focusing on equal opportunities for girls and boys in the choice of profession.

In all professional education and training institutions there is equal access for both sexes to the study of the humanitarian and technical disciplines. Educational institutions fully support and encourage the enthusiasm of young people of both sexes for science and technology and sports. Both young men and girls take an active part in various olympiads and contests in both the technical and the humanistic fields. An example would be the international scientific competition held among university students in 2016: at the Open International Olympiad in Mathematics, held in the town of Rusa in Bulgaria, there were 32 teams from five countries, and the students of Turkmen higher education institutions won nine medals, of which three were gold, three silver and three bronze. Of the six winners of silver and bronze medals, three were girls ("Neutral Turkmenistan" newspaper, No. 211, of 5 August 2016).

Women engage in the same sports as men and on an equal basis. For example, at the Fifth Indoor and Martial Arts Games (Fifth Asian Games) held in September 2017 in Ashgabat, Turkmenistan was represented by a group of female athletes who

competed in various types of wrestling and weightlifting and won medals of various levels on a par with men.

The publication in the media of stories on such achievements is also one of the means for targeting girls in order to get them to choose non-traditional areas of study.

For those who cannot fully master the programme of general secondary education in a timely manner, there is a system for obtaining general education through external studies, and the policy directive on that was approved in a new edition on 16 April 2015. Admission to the system of external studies is also not restricted by sex. Young mothers who have not completed general secondary education in regular schools with their peers have the opportunity to finish through external studies programmes.

The contents of textbooks and teaching aids are periodically reviewed, taking into account the issue of gender equality.

The Ministry of Education developed and approved the teaching and methodological manual on the educational standards in the field of reproductive health, and issued a methodological manual on reproductive health in high school, as an annex to the textbook on the subject entitled "Fundamentals of Life" for grades 7 and 8; in 2013, the protection of reproductive health was introduced into the textbooks for grades 7–10.

In 2013–2014, the secondary school curricula and textbooks on reproductive health issues were revised by international experts, who provided appropriate recommendations. Based on those recommendations, changes have been made to the textbooks and curricula published in 2015–2017.

Employment

16. Article 49 of the Constitution of Turkmenistan guarantees everyone the right to work and the choice of profession, occupation and place of work at their discretion, as well as healthy and safe working conditions. That article introduced a new norm that provides for the prohibition of forced labour and the worst forms of child labour. Persons employed for pay have the right to remuneration corresponding to the quantity and quality of their work. The amount of that remuneration cannot be less than the minimum wage established by the State.

The strong emphasis in the Constitution on equal opportunities serves as a basis for promoting not only the formal, but also the de facto equality of all citizens in social and legal practice.

The Employment Act (2016) provides for legal protection against any form of discrimination, the unjustified denial of employment, and illegal dismissal or termination of employment contracts, as well as protection from unemployment.

Under article 13 of that Act, unemployed persons may not be used in forced or compulsory labour, unless the labour legislation of Turkmenistan provides otherwise.

Under article 7 of the Labour Code, any grounds for hiring or firing that are not based on the employee's business qualities and the results of his or her work constitute a violation of the legal requirement of equal opportunities in the labour market. Thus, along with a list of circumstances that do not affect the performance of a citizen's work activities, reference is made in the article to circumstances which cannot, under generally recognized international legal norms, be considered discriminatory. Similar provisions can be found in the State Guarantees for the Equal Rights and Equal

Opportunities of Women and Men Act. First of all, this involves the provision of protection for people's health and work, including those in need of increased social and legal protection, as well as the possibility, when concluding an employment contract, of accounting for differences, exceptions and limitations inherent in the requirements established by legislation for a particular type of work. The protection of health and safety includes, for example, the rules prohibiting employment in certain types of work without a preliminary medical examination, which is regulated by article 187 of the Labour Code of Turkmenistan.

When hiring an employee, the employer has the right to demand that the employee provide documents confirming his or her right and suitability to engage in certain types of work (service) and/or to hold a particular post. For example, in order to work safely on electric-power equipment, it is necessary to have, in addition to a document certifying the appropriate training, a document issued by the institutions of the Ministry of Energy of Turkmenistan certifying the employee's authorization to work on such equipment. The issuance of similar documents for the hiring of an employee in certain jobs is envisaged in other sectors of the economy.

The Labour Code of Turkmenistan provides for restricting the employment of women in work that involves harmful and/or dangerous working conditions, with the exception of non-physical work or sanitary and domestic services, and also for prohibiting the hiring of persons under 18 years of age for such work. Currently, the competent authorities are studying the lists of such jobs, professions and posts developed by the Ministry of Labour and the Social Protection of the Turkmen Population and coordinated with the State Standards Bureau (*Turkmenstandartlary*) and the Ministry of Health and the Medical Industry of Turkmenistan. In developing those lists, the norms for the maximum permissible loads for women and persons under 18 years of age when lifting and moving heavy loads by hand were taken into account. The norms were approved by order of the Minister of Labour and the Social Protection of the Population of Turkmenistan in concert with the State Standards Bureau and the Ministry of Health and the Medical Industry of Turkmenistan in August 2016, which also took into account harmful and dangerous (chemical, physical and biological) production factors and the severity and intensity of the work process.

There are certain requirements for employment in the civil service in State bodies. Thus, under article 22 of the Civil Service Act, a person recognized as incompetent or of limited competence by a court cannot be admitted to the civil service, nor can a person who has a criminal record after committing an intentional crime, if such a conviction is not annulled or withdrawn in the manner prescribed by law; the same applies to a person deprived of the right to hold a civil service post on the basis of a court verdict.

In order to protect motherhood and childhood, which is one of the priorities of State policy, and to protect the rights and legitimate interests of working women, children and persons with disabilities, the Labour Code of Turkmenistan provides special rules governing that category of citizens, given the special concern of the State for individuals in need of increased social and legal protection. Women, regardless of the length of time they have worked, are entitled to unpaid leave to take care of their child before he or she reaches the 3 years of age. Such leave can also be granted to a person who is actually taking care of the child, including the father of the child. For the period of child-care leave, the employee retains his or her job (position).

Labour legislation also provides for granting to one parent (guardian) raising a disabled child under 18 years of age one additional day off per month with the payment of one day's wage.

The degree of women's participation in work reflects the level of their economic activity. In 2016, among the economically active population, women accounted for 42.8 per cent, and among the population employed in the economy — 45.1 per cent.

In 2017, employment agencies had 74,000 people registered; in 2015, that figure was 80,300. The proportion of citizens who were employed in 2017 was 92 per cent, in 2015 — 92.2 per cent. Of the number registered in employment agencies in 2017, women accounted for 30 per cent; in 2015, that figure was 29 per cent. Of the total number of registered women in 2017, 89.2 per cent of them were employed, in 2015 — 89.3 per cent.

The slight decrease in the number of citizens who apply to employment agencies and for whom the agencies are able to find employment testifies to the State's ability to create favourable conditions for citizens to exercise independent work activity, in particular active participation in small- and medium-sized businesses.

In 2016, the proportion of those employed in the non-State sector of the economy was 75.8 per cent of all those employed in the economy of the country; in 2015 — 75.6 per cent. In 2016, those employed in the private sector accounted for 62.7 per cent of those employed in the non-State sector; in 2015, that figure was 61.6 per cent.

The number of individual entrepreneurs who have not established a legal entity is increasing; they currently make up about 27 per cent of the total number of employed in the economy.

Under article 49 of the Constitution of Turkmenistan, persons working for pay are entitled to remuneration corresponding to the quantity and quality of their work. The amount of their remuneration cannot be less than the minimum wage established by the State. Specific articles of the Labour Code of Turkmenistan are in line with this constitutional norm.

Each year, the minimum wage, which is the benchmark for setting the wage rates and salaries of employees, is approved by Presidential Decree. At the same time, the amount and types of remuneration for work are determined not on the basis of an employee's belonging to a particular sex, but on the basis of an objective assessment of the work performed. The principle of equal pay for work of equal value is not formal, but is applied in social and legal practice.

The official data of the State Committee on Statistics reveal a fairly high level of women's wages in the branches of the economy of Turkmenistan. If in 2015, looking in general at the economy of Turkmenistan, the wages of women were 13 per cent lower than the wages of men, in 2016 that figure was 12 per cent.

However, as in other countries, there are some differences in the average income of men and women in certain sectors of the economy. That is largely due both to the amount of time worked and to the limitations on the work performed in special working conditions.

The largest proportion of employed women is concentrated in such economic activities as manufacturing (light industry, food industry), health and social services, education, art, entertainment and recreation. Men are more focused on mining, quarrying, the provision of electricity, gas, steam and air conditioning, construction,

transport, that is in industries associated with continuous production and special working conditions, which makes it possible for them to receive various bonuses and salary supplements.

As noted above, the Labour Code of Turkmenistan introduces certain restrictions on the employment of women in special circumstances.

The labour legislation of Turkmenistan provides for the hiring of employees for overtime work and for work on weekends, non-working holidays and commemorative days, but only with their consent. At the same time, women, more often than men, have the right to refuse to engage in such work.

In order to combine work and family responsibilities, women, more often than men, resort to a flexible work schedule, part-time work, temporary work, etc.

However, when women are engaged in work of equal value with men, the principle of equal remuneration for work of equal value applies.

Women in various sectors of the economy occupy positions different from men.

According to a one-time survey conducted in Turkmenistan in November 2016, the ratio of women's remuneration to men's is 90.3 per cent in the category of employees engaged in information preparation, documentation, financial accounting and information services. At the same time, the remuneration of women is higher than that of men for workers in activities such as wholesale and retail trade; for workers engaged in the repair of cars and motorcycles, the ratio is 103.1 per cent, in the hotel and restaurant sector — 105.7 per cent, and in information and communication — 100.5 per cent.

A similar situation is observed in the category of skilled workers in agriculture, forestry, hunting, fishing and fish farming, where the ratio of women's remuneration to men's is 100 per cent, while for such workers in agriculture, forestry and fisheries, it is 116.2 per cent, in mining and quarrying — 103.4 per cent, and in transport and goods storage — 146.1 per cent.

In the category of specialists and support staff, the ratio of women's remuneration to men's is 91.7 per cent, while for such workers in wholesale and retail trade and the repair of cars and motorcycles, the ratio of women's remuneration to men's is 100.2 per cent.

In the category of skilled workers in large and small industrial enterprises, artistic enterprises, construction, transport, communications, geology and subsoil exploration and workers of related professions, the ratio is 69.5 per cent, and for such workers in the hotel and restaurant sector, it is 175.2 per cent, and in administrative and auxiliary activities — 104.8 per cent.

In the category of equipment operators, mechanics working at installations and on machines, assemblers and fitters, the ratio is 87.4 per cent; for such workers in the hotel and restaurant sector — 134.1 per cent, in the information and communications sector — 111.7 per cent, and for those working in administrative and auxiliary activities — 110.6 per cent.

The level of wages is significantly affected by the level of education received by men and women and their qualifications. Information on the education of women and men is provided in paragraphs 14–15 of this document.

17. As noted in the previous report, the basic legislative act guaranteeing the provision of pensions to citizens on the basis of the State pension insurance and the

provision of State benefits to certain categories of citizens is the Social Protection Code of Turkmenistan (2012), which also defines measures for the social protection of citizens in accordance with the principles of social justice.

The State Guarantees for Equal Rights and Equal Opportunities for Women and Men Act also provides State guarantees for ensuring gender equality in the field of social protection, which is implemented through material support and social services in the form of the payment of pensions and State benefits and the provision of social benefits.

The personal account with each person's contributions to the pension system serves as the basis of the new pension system under the State Pension Insurance Act.

Citizens, including those employed in the informal sector, who perform personal subsistence and household work and other work without being employed on a contractual basis, as well as self-employed citizens, must conclude a pension insurance agreement with the Pension Fund office at their place of residence and pay in the mandatory pension contributions in order to be allocated an old-age pension upon reaching retirement age. Those citizens also have the right to join the accumulative pension system by concluding a voluntary pension insurance contract with the Pension Fund at their place of residence.

Under article 23 of the Social Protection Code, the following categories of people are entitled to receive a retirement pension:

Men — at the age of 62 years, women — after reaching the age of 57 years, if they have participated in the mandatory pension insurance scheme for at least 5 years;

Women who have borne and raised 3 children up 8 years of age — after reaching the age of 56, if they have participated in the mandatory pension insurance scheme for at least 20 years;

Women who have borne and raised 4 children up to 8 years of age — after reaching the age of 55, if they have participated in the mandatory pension insurance scheme for at least 18 years;

Women who have borne and raised 5 or more children up to 8 years of age or a disabled child from childhood — after reaching the age of 54, if they have participated in the mandatory pension insurance scheme for at least 15 years;

Victims of radiation accidents and disasters (regardless of the length of their service in the exclusion zone):

Men — at the age of 52 years, if they have participated in the mandatory pension insurance scheme for at least 25 years;

Women — at the age of 48, if they have participated in the mandatory pension insurance scheme for at least 20 years;

Persons suffering from pituitary dwarfism (midgets) or dwarfs who have participated in the mandatory pension insurance scheme for at least 5 years: men — at the age of 45, women — at the age of 40 years.

For persons who are not entitled to a pension for one reason or another, the legislation guarantees the allocation of State social benefits to men who have reached the age of 62 and women who have reached the age of 57.

The mother (or the father) of a newborn child or the guardian of such a child is entitled to a State allowance upon the birth of the child regardless of whether or not

they are employed in some socially useful activity. Parents who have adopted a child under 4 months of age are also entitled to that benefit, unless it has already been paid to the mother or father of the adopted child.

The following are entitled to a childcare allowance, regardless of whether they are employed in a socially useful activity:

The mother, the father or the guardian who actually cares for the child before it reaches 3 years of age;

Other relatives who actually take care of the child before it reaches 3 years of age, in cases where the mother and/or the father have died, been declared dead, been deprived of parental rights, or have restricted parental rights, or have been recognized as missing, incompetent (incapacitated) or unable for health reasons to personally raise and maintain the child, or are serving a sentence in an institution involving the deprivation of liberty, or where the parents have evaded the responsibility for raising the child or for protecting his rights and legal interests or have refused to take their child back from an educational or medical institution or other similar institution.

If citizens who have a disability and are engaged in the informal sector, or in personal, casual, household or other work without employment on a contractual basis, or are self-employed, they can be granted a disability pension (benefit), regardless of the status of their payments of contributions into the State pension insurance scheme. In the event of the death of such a citizen, family members who were dependent on him or her during their lifetime receive a survivor's benefit regardless of the status of the payments of contributions by the deceased into State pension insurance scheme.

In accordance with article 24 of the State Guarantees for the Equal Rights and Equal Opportunities of Women and Men Act, the State guarantees equal rights for women and men with regard to protection against sexual assault, kidnapping and trafficking. That legislative norm is the basis for efforts to improve the national legislation on such issues, as well as for further legislative work on preventing violence in all its forms.

Until now, there have been no complaints of sexual harassment in the workplace to the judicial and other bodies of Turkmenistan responsible for enforcing the legislation on gender equality.

Health

18. In rural areas, reproductive health services are provided by trained family doctors in rural health centres. Since 2017, the Government of Turkmenistan has been purchasing all contraceptive products and necessary medicines for reproductive health clinics so that they can meet the needs of women in high-risk groups.

The results of assessing the level of integration of reproductive-health services, antenatal care, obstetric care and the detection of cervical cancer and sexually transmitted diseases in 2015 showed that in all regions all pregnant women registered (100 per cent) were tested for HIV and sexually transmitted infections before surgery and mini-abortions. In 55 to 60 per cent of the women contacted, their partners also underwent sexually-transmitted-infection testing. All reproductive health offices provide access to condoms. Assessments of antenatal care services have shown that in all medical institutions at the primary level there are clinics for antenatal care; the early care of pregnant women reaches about 80–90 per cent of all cases; all women are aware of the danger signs in pregnancy and have information and phone numbers

for them to contact in emergency cases. All pregnant women with anaemia receive treatment.

An assessment of the availability of and access to contraceptive methods in reproductive health clinics and the pharmacy network in 2013 showed that modern methods of contraception are generally available in public and private health facilities, most of which offer three or more methods of contraception.

An assessment of the implementation of the National Strategy for the prevention of cervical cancer and breast cancer (UNFPA methodology, 2013), carried out jointly with an expert from the World Health Organization (WHO), showed that there is a well-established early-detection system for cancer at the primary-health-care level.

The results of the STEPS risk factor survey (WHO methodology, 2013–2014) showed that 62 per cent of women aged 30–49 have been screened for cervical cancer.

In 2015, 19 specialists were trained in Israel in the field of cytology and pathology and gained skills in colposcopy to be able to screen for cervical cancer.

In 2016, the immunization of boys and girls aged 9 against the human papillomavirus was introduced in the country.

Based on the results of the evaluations, normative documents were developed to improve women's access to high-quality health services and to improve integrated services in the area of the reproductive health of women, men and adolescents, as well as screening for cervical cancer. With the assistance of an international expert, clinical protocols have been developed in the area of male reproductive health. In the centres for the protection of the reproductive health of men in Ashgabat and the *velayats*, posts for andrologists have been introduced.

As part of the implementation of the National Programme on HIV/AIDS in Turkmenistan for 2012–2016, measures have continued to counteract the spread of HIV infection, expand access to HIV counselling and testing for various groups of the population, and raise the awareness of the population, especially young people, on methods for preventing HIV infection. The Interagency Coordination Committee held four meetings. The draft of the new National Programme on HIV/AIDS has been submitted to the Cabinet of Ministers of Turkmenistan for its approval.

The Combating the Spread of the Disease caused by the Human Immunodeficiency Virus (HIV Infection) Act was adopted in 2016. That Act is a reflection of the levels of competence of the bodies that implement State regulation and control aimed at combating the spread of HIV infection. The types of medical examinations for HIV and the list of groups subject to mandatory medical examination for HIV have been defined.

A guidance directive and clinical protocols on the prevention of HIV infection have been introduced.

Under the existing legislation, mandatory and free-of-charge testing for HIV infection of pregnant women, blood donors and blood recipients, medical staff having contact with biological fluids, patients undergoing surgical treatment, and patients with oncological diseases, tuberculosis, viral hepatitis and other infectious diseases has been introduced. Annually, between 230,000 and 250,000 pregnant women are tested for HIV, which amounts to 99 per cent of that group.

According to the Memorandum between the Ministry of Health, the Ministry of Industry and Trade and UNDP, the purchase of modern immunoenzyme test systems of the latest generation is being carried out. A reserve stock of antiretroviral drugs has

been established for the prevention and treatment of HIV infection and is updated annually.

The capacities of the staff of the laboratories of the *velayat* AIDS prevention centres have been strengthened.

Specialists at the AIDS prevention centres have conducted 6,015 training sessions among health workers, including those working at the primary health-care level, on HIV prevention and safe medical procedures, with a coverage of 54,139 medical workers during the reporting period.

In order to increase the awareness of young people in general schools and secondary and higher vocational schools with regard to the prevention of HIV/AIDS, 3,000 round tables have been held, with a coverage of more than 135,000 people; about 2,000 talks with the showing of videos and the distribution of booklets and brochures have been held, with a coverage of more than 118,000 young people.

In military units, border units and units of the Ministry of Internal Affairs, recruits and servicemen have attended 720 talks twice a year with the showing of videos and handouts, with a coverage of 72,496 people.

Annually in December, as part of the worldwide campaign against AIDS, large-scale information events have been held across the country among various groups of the population, with an emphasis on youth. The activities take the form of actions, drawing contests, video shows, and the staging of skits.

The "hotline" maintained by the National AIDS Prevention Centre provides people, including people at risk, with information free of charge and anonymously; during the reporting period, 2,769 people received counselling.

In Turkmenistan, 81 per cent of the women surveyed, aged 15–49, had heard about AIDS; 65 per cent of women knew all three of the ways in which HIV can be transmitted from mother to child; 64 per cent of women knew where to get tested for HIV (Multiple Indicator Cluster Survey 5, 2015–2016).

Among respondents between 15 and 17 years of age, 84 per cent of the young people answered that they had received instruction on the dangers of HIV and sexually transmitted infections. More than three quarters of the respondents answered that they had been told about the dangers associated with early pregnancy; 95 per cent indicated that they had been taught the basics of a healthy lifestyle (Health Behaviour in School-aged Children, WHO, 2011, 2013).

Rural women

19. Women living in rural areas have the same rights as men. The legislation of Turkmenistan does not contain norms or provisions that establish different rights for urban and rural residents, and the conditions have been created to ensure free access in rural areas to medical care, education, technical knowledge, work and improved housing.

The National Presidential Programme for the transformation of the social living conditions of the population of villages, towns, cities, *etraps* (districts) and *etrap* centres for the period to 2020 and other National Programmes for economic development are aimed at creating modern social and economic infrastructure in rural areas.

Under the National Programmes, sizable new projects are being implemented in the countryside, including the construction of comfortable housing, communications,

roads, water mains, sewerage, and gas and electricity services. As a result, rural areas now have modern schools and medical facilities equipped with the latest equipment, palaces of culture, stadiums, recreation centres and comfortable houses.

The State provides much support to men and women who want to engage in agricultural production. Seeking to stimulate the development of market relations in the agrarian sector, various Presidential Acts and the Government of Turkmenistan have introduced incentives for farmers that exempt *daikhan* (peasant) farms from taxes on land, water and livestock and provide a number of other benefits. Such measures make it possible to attract more women into the rural economy, which in turn also affects the living standards of the rural population. Out of the total number of tenant farmers, women make up more than 50 per cent.

Marriage and family relations

20. The domestic legislation of Turkmenistan provides for various measures aimed at prohibiting more than one marriage. That rule is enshrined in article 20 of the Family Code of Turkmenistan, according to which marriage is not allowed between persons when at least one of them is already in another registered marriage at the time of the application to marry. In the case of the cohabitation of a man with two or more women (without registering the marriage), with joint management of a common household, article 163 on polygamy of the Criminal Code of Turkmenistan provides for criminal liability.